

Attorney Docket:
033808.193

DAC
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

NOV 17 2004

OFFICE OF PETITIONS

Applicant : Denis BERTIN

Serial No. : 09/215,367

Filed : December 18, 1998

Examiner : Olga Asinovsky

Art Unit : 1711

For: CONTROLLED RADICAL POLYMERIZATION PROCESS
USING A SMALL AMOUNT OF STABLE FREE RADICAL

RENEWED PETITION UNDER 37 CFR 1.137(b)

Mail Stop PETITIONS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a renewed Petition under 37 CFR 1.137(b), filed in response to a Decision dismissing a Petition filed by Applicant under 37 CFR § 1.137(b) ("the original Petition") on September 7, 2004, requesting revival of the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office Action mailed April 10, 2000, which set a shortened statutory period for reply of three months. The application became abandoned on July 11, 2000. A Notice of Abandonment was mailed by the U.S. Patent and Trademark Office ("USPTO") on January 17, 2001. As noted above, Applicant filed the original Petition on September 7, 2004.

On September 23, 2004, the USPTO mailed a Decision dismissing the original Petition. According to the Decision:

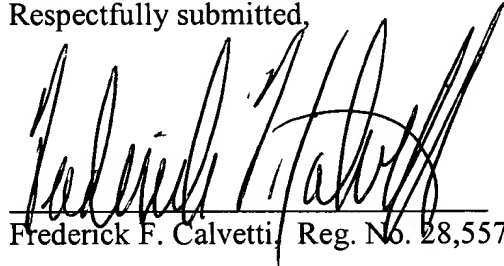
In the instant case, petitioner, no later than January 17, 2001 was aware (or should have been aware) that a petition to revive was necessary. Therefore, in addition to a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must provide a showing as to: (1) the date that petitioner first became aware of the abandonment of the application; (2) how any delay between the mailing of the Notice

of Abandonment and petitioner's discovery of the abandoned status of the application occurred; and (3) the cause of any delay between petitioner's discovery of the abandoned status of the application and the filing of a petition to revive. See 37 CFR 1.137(b)(3).

In response to the Decision, Applicant submits herewith a "Statement of Facts Regarding Unintentional Abandonment" ("Statement of Facts"), setting forth the facts regarding the abandonment and the period between the abandonment and the filing of the original Petition.

Applicant respectfully submits that the Statement of Facts satisfies the showing required under 37 CFR 1.137(b). Accordingly, Applicant respectfully requests that the instant renewed Petition be granted and that the above-identified application be revived.

Respectfully submitted,

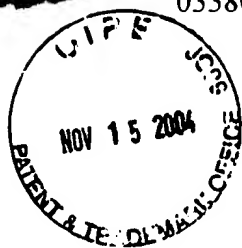


Frederick F. Calvetti, Reg. No. 28,557

Date: November 15, 2004

SMITH, GAMBRELL & RUSSELL, LLP
1850 M Street, NW - Suite 800
Washington, D.C. 20036
Tel: 202 263 4300
Fax: 202 263 4329

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : Denis BERTIN

Serial No. : 09/215,367

Filed : December 18, 1998

Examiner : Olga Asinovsky

Art Unit : 1711

RECEIVED

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OFFICE OF PETITIONS

For: CONTROLLED RADICAL POLYMERIZATION PROCESS
USING A SMALL AMOUNT OF STABLE FREE RADICAL

STATEMENT OF FACTS REGARDING
UNINTENTIONAL ABANDONMENT

Mail Stop PETITIONS

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned (whose title is supplied below) is authorized to act on behalf of Atofina (formerly known as Elf Atochem S.A.), the assignee of the above-identified application, and does state as follows:

1. Prior to January 15, 2004, the above-identified application was prosecuted by the law firm of Pennie & Edmonds LLP (New York City office) ("Pennie & Edmonds"), which is now merged into the firm of Jones Day.
2. Atofina's reference number for the application is "Atofina Ref. AM 1300", and Pennie & Edmonds' reference number for the application was "Ref. 2988-644".
3. In a letter dated April 3, 2000 to Pennie & Edmonds, Mr. Christian Colombier, acting on behalf of Elf Atochem S.A., stated that "we [the client] decided to abandon this application." Mr. Colombier's letter was directed to:

Elf Atochem Ref. CC/vm – AM-0896 DIV
U.S. Serial No. 09/136,829 filed August 19, 1998
(Cont of 08/597,232 filed February 6, 1996)
claiming priority of FR 95 01380 filed February 7, 1995
Pennie & Edmonds Reference No. 2988-644

A copy of Mr. Colombier's letter is enclosed as "Attachment A".

4. Mr. Colombier's letter of April 3, 2000, as indicated in paragraph 3 above, referred to U.S. Serial No. 09/136,829 ("the '829 application"), not to U.S. Serial No. 09/215,367 (the above-identified application). However, Mr. Colombier's letter incorrectly recited Pennie & Edmonds' reference number "No. 2988-644", which was Pennie & Edmonds' reference number for the above-identified application, not the reference number for the '829 application. In other words, Mr. Colombier's letter recited the correct serial number but the incorrect reference number.

5. In a memorandum dated April 3, 2003 and directed to their reference number No. 2988-644 (no U.S. Serial No. indicated), Pennie & Edmonds stated "please take no action as to this case. The client decided to abandon the case." A copy of this memorandum is enclosed as "Attachment B".

6. The U.S. Patent and Trademark Office ("the USPTO") mailed an Office Action in connection with the above-identified application on April 10, 2000. The Office Action recited Pennie & Edmonds Reference No. 2988-644. Pennie & Edmonds did not respond to the Office Action.

7. A Notice of Abandonment was mailed by the USPTO in connection with the above-identified application on January 17, 2001. The application became abandoned on July 11, 2000 for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office Action mailed April 10, 2000.

8. In a letter dated January 15, 2004, the undersigned instructed Pennie & Edmonds to transfer the file for the above-referenced application to the care of Mr. Frederick Calvetti of the law firm Smith, Gambrell & Russell. A copy of this letter is enclosed as "Attachment C".

9. With a letter dated March 23, 2004, Pennie & Edmonds (which by then had merged with Jones Day), physically transferred the file for the above-identified application to Mr. Calvetti. A copy of this letter is enclosed as "Attachment D".

10. In a communication dated April 14, 2004, the undersigned advised Mr. Calvetti that "from our file this case is not abandoned." This communication was made on a copy of the Pennie & Edmonds' letter dated March 23, 2004 (enclosed as "Attachment D"). A copy of this communication is enclosed as "Attachment E".

11. Upon a detailed review of the file for the application, Mr. Calvetti discovered that Mr. Colombier's letter of April 3, 2000 (which instructed abandonment) was erroneously placed in the file for the '829 application, not in the file for the above-identified application. In an email message dated April 14, 2004, Mr. Calvetti informed the undersigned of his findings and that the application was abandoned January 17, 2001. A copy of this email message is enclosed as "Attachment F".

12. In an email message dated April 22, 2004, the undersigned instructed Mr. Calvetti to revive the above-identified application. A copy of this email message is enclosed as "Attachment G".

13. With a letter dated June 8, 2004, Mr. Calvetti forwarded to the undersigned a Power of Attorney and a Statement under 37 CFR 3.73(b), for

execution by the undersigned in connection with the reviving of the above-identified application . A copy of this letter is enclosed as “Attachment H”.

14. The undersigned executed the Power of Attorney and the Statement under 37 CFR 3.73(b) and, with a letter dated June 22, 2004, the undersigned forwarded the executed documents to Mr. Calvetti. A copy of this letter is enclosed as “Attachment I”.

15. With a letter dated June 25, 2004, Mr. Calvetti forwarded to the undersigned a “Petition for Revival of An Application for Patent Abandoned Unintentionally” (“the Petition”), for execution by the undersigned. A copy of this letter is enclosed as “Attachment J”.

16. With a letter dated July 5, 2004, the undersigned forwarded the executed Petition to Mr. Calvetti. A copy of this letter is enclosed as “Attachment K”.

17. With a letter dated August 26, 2004, Mr. Calvetti forwarded to the undersigned a “Proposed Amendment In Response to Final Rejection” (“Proposed Amendment”), for the undersigned’s review and approval for filing with the USPTO along with the Petition to revive the application.

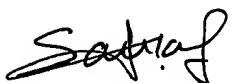
18. In a letter to Mr. Calvetti dated September 2, 2004, the undersigned indicated agreement with the Proposed Amendment. A copy of this letter is enclosed as “Attachment L”.

19. On September 7, 2004, Mr. Calvetti filed with the USPTO the executed Petition for Revival of an Application for Patent, the executed Power of Attorney, the executed Statement under 37 CFR 3.73(b), the Amendment in Response to Final Rejection, and a Notice of Appeal.

Attorney Docket :
033808 F 193

October 20, 2004
Date

PATENT


Signature

Tarek SARRAF
Typed or printed name

Legal representative
Title

ATTACHMENT A

elf atochem

ATO

Elf Atochem S.A.

Direction Centrale Recherche & Développement

Département Propriété Industrielle

Cours Michelat - La Défense 10

92091 Paris La Défense Cedex (France)

Tél : 01 49 00 80 80 Telex : ATO 611 822 F Fax : 01 49 00 80 87

International : Tél : +33 1 49 00 80 80 Fax : +33 1 49 00 80 87

PENNIE & EDMONDS LLP

1155 Avenue of the Americas

NEW YORK, NJ 10036-2711

ETATS-UNIS

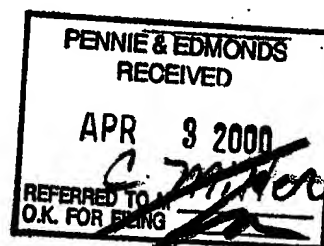
BY FAX

Paris La Défense, on April 3rd, 2000

Y/Ref. 2988-644
☎ 33.1.49.00.73.61
Fax 33.1.49.00.80.87
Q/Ref. CC/vm - AM 0896 DIV



RE : U.S. pat. appln. 09/136,829 filed August 19, 1998
[Continuation of 08/597,232 filed February 6, 1996]
Title : STABILIZATION OF A POLYMER BY A STABLE...
Assignee : ELF ATOCHEM S.A.
[French priority appln. 95 01380 filed February 7, 1995]



Dear Sirs,

Please note that we decided to abandon this application.

Very truly yours,

CHRISTIAN COLOMBIER

ATTACHMENT B

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NOV 17 2004

OFFICE OF PETITIONS

PENNIE & EDMONDS LLP

Memorandum

To: File

From: Mami Hino

File: 2988-644

Date: April 3, 2000

Subject: Abandonment

-KEEP ON TOP-

Pursuant to Mr. Colombier's April 3, 2000 letter, please take no action as to this case. The client decided to abandon the case.

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ATTACHMENT C



4-8 cours Michelet
F-92091 Paris La Défense Cedex
www.atofina.com

Tarek SARRAF
La Défense 10
Tel +33 1 49 00 81 87
Fax +33 1 49 00 80 87
tarek.sarraf@atofina.com

PENNIE & EDMONDS
1155 Avenue of the Americas
NEW YORK NY 10036-2711
ETATS-UNIS

Paris La Défense, January 15, 2004

Y/Ref. : 2988-644
O/Ref. : TS/fo - AM 1300

Re: United States Patent Application No. 09/215,367 filed December 18, 1998
Applicant/Inventor: D. Bertin
Title: CONTROLLED RADICAL POLYMERIZATION...
Assignee: Elf Atochem S.A.

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OFFICE OF PETITIONS

Dear Sirs,

Concerning the above-identified patent application, could you please close your file and transfer it to the attention of M. Calvetti, located at:

SMITH, GAMBRELL & RUSSEL, LLP
1850 M Street, N.W., Suite 800
WASHINGTON, D.C. 20036
ETATS-UNIS

202-263-4300

Yours truly

Tarek SARRAF

copy: - Mr. Calvetti
- gestion

ATTACHMENT D

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OFFICE OF PETITIONS

JONES DAY

222 EAST 41ST STREET • NEW YORK, NEW YORK 10017-6702

TELEPHONE: 212-326-3939 • FACSIMILE: 212-755-7306

Direct Number: (212) 790-6258
gasenich@jonesday.com

JP006607:GAS
701907-999559
(formerly 002988-0644-999)

March 23, 2004

By FedEx

Atofina Ref.: TS/fo-AM1300

Frederick F. Calvetti, Esq.
SMITH, GAMBRELL & RUSSELL, LLP
1850 M Street, N.W., Suite 800
Washington, D.C. 20036

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NOV 17 2004

OFFICE OF PETITIONS

Re: U.S. Patent Application No.: 09/215,367
Filed: December 18, 1998
Title: CONTROLLED RADICAL POLYMERIZATION
PROCESS USING A SMALL AMOUNT OF
STABLE FREE RADICAL
Inventor: Dennis BERTIN
Assignee: ATOFINA

Dear Mr. Calvetti:

In accordance with the instructions of Mr. Tarek Sarraf's letter of January 15, 2004, the following file is being transferred to you:

U.S. Patent Application No.: 09/215,367
Filed: December 18, 1998
Title: CONTROLLED RADICAL POLYMERIZATION PROCESS
USING A SMALL AMOUNT OF STABLE FREE RADICAL
Inventor: Dennis BERTIN
Assignee: ATOFINA

Pursuant to the above-referenced letter, you are assuming responsibility for this application. Of course, we have and will make every effort to ensure a smooth transfer of responsibility.

In order to facilitate this transfer and ensure that all correspondence from the USPTO is sent to the appropriate party, we recommend that a *Revocation and Power of Attorney* be filed as soon as possible. Until the USPTO accepts the *Revocation and Power of Attorney*, we ask that a

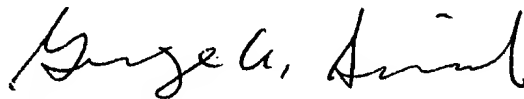
NYJD: 1515452.1

Frederick F. Calvetti, Esq.
March 23, 2004
Page 2

copy of all correspondence between your office and the USPTO relating to this file be sent to me. Should we receive any correspondence relating to the above-identified file, we will make our best effort to forward it to you.

In order to complete our records in this matter, please confirm your receipt of the above-listed file by dating, countersigning, and returning the enclosed copy of this letter.

Sincerely,



George A. Senich
Associate

Enclosures

cc: Claudine Bonnel, Esq. (w/o encls.)
Tarek Sarraf (w/o encls.)
Thomas G. Rowan, Esq. (w/o encls.)

Received by: _____

Date: _____

ATTACHMENT E

RECEIVED
NOV 17 2004
OFFICE OF PETITIONS

JONES DAY

COPY

222 EAST 41ST STREET - NEW YORK, NEW YORK 10017-5702

TELEPHONE: 212-225-3929 • FACSIMILE: 212-755-7306

Direct Number: (212) 790-6258
gasentoh@jonesday.com

JP006607:GAS

701907-999559

(formerly 002988-0644-999)

March 23, 2004

By FedEx

Atofina Ref.: TS/fo-AM1300

From Tarek SARRAF

to Fred CALVETTI

Frederick F. Calvetti, Esq.

SMITH, GAMBRELL & RUSSELL, LLP

1850 M Street, N.W., Suite 800

Washington, D.C. 20036

Please see page 2.

Re: U.S. Patent Application No.: 09/215,367

Filed: December 18, 1998

Title: CONTROLLED RADICAL POLYMERIZATION
PROCESS USING A SMALL AMOUNT OF
STABLE FREE RADICAL

Inventor: Dennis BERTIN

Assignee: ATOFINA

RECEIVED

NOV 17 2004

OFFICE OF PETITIONS

Dear Mr. Calvetti:

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U.S. Patent Application No.: 09/215,367

Filed: December 18, 1998

Title: CONTROLLED RADICAL POLYMERIZATION PROCESS
USING A SMALL AMOUNT OF STABLE FREE RADICAL

Inventor: Dennis BERTIN

Assignee: ATOFINA

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NYJD: 1515452.1

ATLANTA • BEIJING • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • FRANKFURT • HONG KONG
HOUSTON • IRVINE • LONDON • LOS ANGELES • MADRID • MENLO PARK • MILAN • MUNICH • NEW DELHI • NEW YORK
PARIS • PITTSBURGH • SAN FRANCISCO • SHANGHAI • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

JONES DAY

Frederick F. Calvetti, Esq.

March 23, 2004

Page 2

copy of all correspondence between your office and the USPTO relating to this file be sent to me. Should we receive any correspondence relating to the above-identified file, we will make our best effort to forward it to you.

In order to complete our records in this matter, please confirm your receipt of the above-listed file by dating, countersigning, and returning the enclosed copy of this letter.

Sincerely,

George A. Senich
George A. Senich
Associate

Enclosures

cc: Claudine Bonnel, Esq. (w/o encls.)
Tarck Sarraf (w/o encls.)
Thomas G. Rowan, Esq. (w/o encls.)

RECEIVED

NOV 17 2004

OFFICE OF PETITIONS

Received by: *lil*Date: *7/31/04*

case is abandoned! Don't requested that.

Dear Fred,

From our file this case is not abandoned.

Please confirm.

Senich

4/14/04

case is abandoned

NYJD: 1315452.1

ATTACHMENT F

RECEIVED
NOV 17 2004
OFFICE OF PETITIONS

Calvetti, Frederick

From: Calvetti, Frederick
Sent: Wednesday, April 14, 2004 11:26 AM
To: 'tarek.sarraf@atofina.com'
Subject: TS/fo AM-1300

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NOV 17 2004

OFFICE OF PETITIONS

Thank you for your fax today. I pulled the file again to check it. It's clear that there has been confusion between ATO and P&E. The case was abandoned on January 17, 2001. Mr. Colombier's correspondence identified the wrong P&E reference number. Other references refer to another case: AM0896DIV, French priority Application No. 9501380. Confirm your decision to revive the AM-1300 case, Serial No. 09/215,367, filed December 18, 1998, French Priority Document No. 97,16690. We are contacting Jones Day (formerly P&E) because more than one file may be confused. Perhaps you might check the above two files on your side as well in view of the dissolution of P&E into a firm differently able to handle prosecution and our having only one file. Look forward to your comments. Thanks for the work. Hope all is well with you and your colleagues.

Fred

Thank you for your fax today. I pulled the file again to check it. It's clear that there has been confusion between ATO and P&E. The case was abandoned on January 17, 2001. Mr. Colombier's correspondence identified the wrong P&E reference number. Other references refer to another case: AM0896DIV, French priority Application No. 9501380. Confirm your decision to revive the AM-1300 case, Serial No. 09/215,367, filed December 18, 1998, French Priority Document No. 97,16690. We are contacting Jones Day (formerly P&E) because more than one file may be confused. Perhaps you might check the above two files on your side as well in view of the dissolution of P&E into a firm differently able to handle prosecution and our having only one file. Look forward to your comments. Thanks for the work. Hope all is well with you and your colleagues.

4/14/2004

ATTACHMENT G

Calvetti, Frederick

From: Tarek SARRAF [tarek.sarraf@atofina.com]
Sent: Thursday, April 22, 2004 5:34 AM
To: Calvetti, Frederick
Subject: Réf. : TS/fo AM-1300

Frederick,

Please do the best you can to revive the AM 1300 case, Serial No. 09/215,367, filed December 18, 1998, French Priority Document No. 97,16690.
I confirm our decision to let AM 0986DIV abandoned.

Thank you for help,

Tarek SARRAF
ATOFINA
Département Propriété Industrielle

phone : (33)149008187
fax : (33)149008087

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NOV 17 2004

OFFICE OF PETITIONS

"Calvetti, Frederick" <ffcalvetti@sgriaw.com>

Pour : <tarek.sarraf@atofina.com>

cc :

Objet :

Thank you for your fax today. I pulled the file again to check it. It's clear that there has been confusion between ATO and P&E. The case was abandoned on January 17, 2001. Mr. Colombier's correspondence identified the wrong P&E reference number. Other references refer to another case: AM0896DIV, French priority Application No. 9501380. Confirm your decision to revive the AM-1300 case, Serial No. 09/215,367, filed December 18, 1998, French Priority Document No. 97,16690. We are contacting Jones Day (formerly P&E) because more than one file may be confused. Perhaps you might check the above two files on your side as well in view of the dissolution of P&E into a firm differently able to handle prosecution and our having only one file. Look forward to your comments. Thanks for the work. Hope all is well with you and your colleagues.

Fred

This message originates from the law firm of Smith, Gambrell & Russell,

LLP. This e-mail message and all attachments may contain legally privileged and confidential information intended solely for the use of the addressee. If you are not the intended recipient, you should

4/22/2004

ATTACHMENT H

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SMITH, GAMBRELL & RUSSELL, LLP

ATTORNEYS AT LAW

SUITE 800

1850 M STREET, N.W.

WASHINGTON, D.C. 20036

TELEPHONE (202) 263-4300

FACSIMILE (202) 263-4329

WEBSITE: www.sgrlaw.com

ESTABLISHED 1893

ATLANTA OFFICE

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1230 PEACHTREE STREET, N.E.
ATLANTA, GEORGIA 30309-3592

TELEPHONE

(404) 515-3500

FACSIMILE

(404) 515-3509

Frederick F. Calvetti
direct dial : 202/973-2628
ffcalvetti@sgrlaw.com

FLORIDA OFFICE

SUITE 2200, BANK OF AMERICA TOWER
50 NORTH LAURA STREET
JACKSONVILLE, FL 32202

TELEPHONE

(904) 598-6100

FACSIMILE

(904) 598-6300

June 8, 2004

Via Facsimile :
011 33 1 49 00 80 87

Mr. Tarek Sarraf
ATOFINA
Département Propriété Industrielle
4-8, cours Michelet, La Défense 10
92091, Paris La Défense Cedex
FRANCE

**CONFIRMATION
OF FACSIMILE**

Re : U.S. Patent Appln. 09/215,367
Your File : TS/fo - AM 1300
Our File : 33808 F193

Dear Mr. Sarraf:

Upon your instruction of January 15, 2004, the above-identified patent application was transferred to me from the firm of Pennie & Edmonds (now Jones Day).

Our initial review of the file disclosed that the application was abandoned, which we noted to Mr. George Senich of Jones Day when we acknowledged receipt of the file on March 31, 2004.

Your subsequent communications of April 14 and April 22, 2004 advised that the subject application was abandoned in error, and you requested that we attempt to revive the application. To that end, we enclose a *Power of Attorney* and a *Statement under 37 CFR 3.73(b)* for your execution. When the two documents are returned to us, we shall submit them to the U.S. Patent Office, along with a *Petition For Revival of An Application for Patent Abandoned Unintentionally* and a response to the Office Action mailed April 10, 2000. We shall keep you advised of our progress in this matter.

Very truly yours,

Frederick F. Calvetti

RECEIVED

NOV 17 2004

OFFICE OF PETITIONS

/s

enclosures : as stated

INVOICE 362422

216387

ATTACHMENT I

RECEIVED
NOV 17 2004
OFFICE OF PETITIONS



ATOFINA

Direction Recherche et Développement Chimie
Département Propriété Industrielle

SMITH, GAMBRELL & RUSSEL, LLP
1850 M Street, NW
WASHINGTON, DC 20036
USA

Your ref. : 33808 F 193
Our Ref. : AM 1300 - TS/mg
☎ : (33) 1 49 00 81 87
Fax : (33) 1 49 00 80 87
E.mail : tarek.sarraf@atofina.com

Paris la Défense, June 22, 2004



Re : U.S. Patent Application 09/215 367

Dear Sirs,

Further to your letter of June 8, 2004, please find herewith enclosed the Power of Attorney and the Statement under 37 CFR 3.73 documents, duly completed and signed.

Yours faithfully,

Tarek SARRAF

Encl.

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NOV 17 2004

OFFICE OF PETITIONS

ATTACHMENT J

RECEIVED

NOV 17 2004

OFFICE OF PETITIONS

SMITH, GAMBRELL & RUSSELL, LLP

ATTORNEYS AT LAW
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WASHINGTON, D.C. 20036

TELEPHONE (202) 263-4300

FACSIMILE (202) 263-4329

WEBSITE: www.sgrlaw.com

ESTABLISHED 1893

ATLANTA OFFICE

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ATLANTA, GEORGIA 30308-3592

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FACSIMILE
(404) 815-3509

Frederick F. Calvetti
direct dial : 202/973-2628
ffcalvetti@sgrlaw.com

FLORIDA OFFICE

SUITE 2200, BANK OF AMERICA TOWER
50 NORTH LAURA STREET
JACKSONVILLE, FL 32202

TELEPHONE
(904) 598-6100
FACSIMILE
(904) 598-6300

June 25, 2004

Via Facsimile :
011 33 1 49 00 80 87

**CONFIRMATION
COPY**

Mr. Tarek Sarraf
ATOFINA
Département Propriété Industrielle
4-8, cours Michelet, La Défense 10
92091, Paris La Défense Cedex
FRANCE

Re : U.S. Patent Appln. 09/215,367
Your File : TS/fo - AM 1300
Our File : 33808 F 193

Dear Mr. Sarraf:

Please find enclosed, for your signature, a Petition For Revival of An Application for Patent Abandoned Unintentionally. Please sign and date the Petition and return to us for filing with the U.S. Patent and Trademark Office. We are preparing a response to the last Office Action and will forward the proposed response to you shortly, for your review. Best regards.

Very truly yours,


Frederick F. Calvetti

FFC/MAM/s
enclosures : as stated

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NOV 17 2004
OFFICE OF PETITIONS

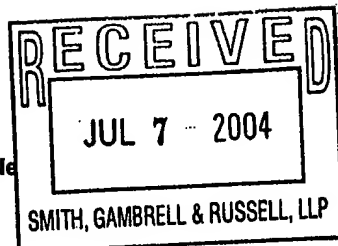
217229

ATTACHMENT K

RECEIVED
NOV 17 2004
OFFICE OF PETITIONS



Direction Recherche et Développement Chimie
Département Propriété Industrielle

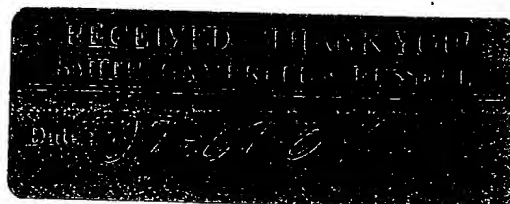


Mr Frederick F. CALVETTI
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1850 M Street, NW - Suite 800
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Y/Ref. : 33808 F 193
O/Ref. : TS/mg - AM 1300
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E-mail : tarek.sarrafa@atofina.com

Paris la Défense, July 5, 2004

Re. : US Patent Application 09/215,367



Dear Mr Calvetti,

Following your letter dated June 25, 2004, please find here attached the Petition duly dated and signed.

Wishing you good receipt of this document,

Yours Truly,


Tarek SARRAF

Encl.

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Mr Frederick F. CALVETTI
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1850 M Street, NW - Suite 800
WASHINGTON, DC 20036
Etats-Unis

Paris la Défense, September 2, 2004

Re. : US Patent Application 09/215,367

Dear Mr Calvetti,

Following to your letter dated August 26, 2004 for which I thank you, please note that I agree with your Proposed amendment in Response to the Final Rejection dated April 10, 2000.

Yours Truly,

Tarek SARRAF

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PS : no comments about P/E Jones Day's behaviour

